

By: Deuell

S.B. No. 1828

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of Mesquite Medical Center Management
3 District; providing authority to levy an assessment, impose a tax,
4 and issue bonds.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3875 to read as follows:

8 CHAPTER 3875. MESQUITE MEDICAL CENTER MANAGEMENT DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3875.001. DEFINITIONS. In this chapter:

11 (1) "Board" means the district's board of directors.

12 (2) "City" means the City of Mesquite, Texas.

13 (3) "County" means Dallas County, Texas.

14 (4) "Director" means a board member.

15 (5) "District" means the Mesquite Medical Center
16 Management District.

17 Sec. 3875.002. NATURE OF DISTRICT. The district is a
18 special district created under Section 59, Article XVI, Texas
19 Constitution.

20 Sec. 3875.003. PURPOSE; DECLARATION OF INTENT. (a) The
21 creation of the district is essential to accomplish the purposes of
22 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
23 Texas Constitution, and other public purposes stated in this
24 chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the
2 district, the legislature has established a program to accomplish
3 the public purposes set out in Section 52-a, Article III, Texas
4 Constitution.

5 (b) The creation of the district is necessary to promote,
6 develop, encourage, and maintain employment, commerce,
7 transportation, housing, tourism, recreation, the arts,
8 entertainment, economic development, safety, and the public
9 welfare in the district.

10 (c) This chapter and the creation of the district may not be
11 interpreted to relieve the city and the county from providing the
12 level of services provided as of the effective date of the Act
13 enacting this chapter to the area in the district. The district is
14 created to supplement and not to supplant city or county services
15 provided in the district.

16 Sec. 3875.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17 (a) The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district
19 will benefit from the improvements and services to be provided by
20 the district under powers conferred by Sections 52 and 52-a,
21 Article III, and Section 59, Article XVI, Texas Constitution, and
22 other powers granted under this chapter.

23 (c) The creation of the district is in the public interest
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

4 (1) promote the health, safety, and general welfare of
5 residents, employers, employees, potential employees, visitors,
6 and consumers in the district, and of the public;

7 (2) provide needed funding for the district to
8 preserve, maintain, and enhance the economic health and vitality of
9 the district territory as a community and business center;

10 (3) promote the health, safety, welfare, and enjoyment
11 of the public by providing pedestrian ways and by landscaping and
12 developing certain areas in the district, which are necessary for
13 the restoration, preservation, and enhancement of scenic beauty;
14 and

15 (4) provide for water, wastewater, drainage, road, and
16 recreational facilities for the district.

17 (e) Pedestrian ways along or across a street, whether at
18 grade or above or below the surface, and street lighting, street
19 landscaping, parking, and street art objects are parts of and
20 necessary components of a street and are considered to be a street
21 or road improvement.

22 (f) The district will not act as the agent or
23 instrumentality of any private interest even though the district
24 will benefit many private interests as well as the public.

25 Sec. 3875.005. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

1 (b) The boundaries and field notes contained in Section 2 of
2 the Act enacting this chapter form a closure. A mistake in the
3 field notes or in copying the field notes in the legislative process
4 does not affect the district's:

5 (1) organization, existence, or validity;

6 (2) right to issue any type of bonds for the purposes
7 for which the district is created or to pay the principal of and
8 interest on the bonds;

9 (3) right to impose or collect an assessment or tax; or

10 (4) legality or operation.

11 Sec. 3875.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be
13 included in:

14 (1) a tax increment reinvestment zone created under
15 Chapter 311, Tax Code;

16 (2) a tax abatement reinvestment zone created under
17 Chapter 312, Tax Code;

18 (3) an enterprise zone created under Chapter 2303,
19 Government Code; or

20 (4) an industrial district created under Chapter 42,
21 Local Government Code.

22 Sec. 3875.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
23 DISTRICTS LAW. Except as otherwise provided by this chapter,
24 Chapter 375, Local Government Code, applies to the district.

25 Sec. 3875.008. CONSTRUCTION OF CHAPTER. This chapter shall
26 be liberally construed in conformity with the findings and purposes
27 stated in this chapter.

1 [Sections 3875.009-3875.050 reserved for expansion]

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 3875.051. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five voting directors who serve staggered
5 terms of four years, with two or three directors' terms expiring
6 June 1 of each odd-numbered year.

7 (b) The board by resolution may change the number of voting
8 directors on the board, but only if the board determines that the
9 change is in the best interest of the district. The board may not
10 consist of fewer than 5 or more than 11 voting directors.

11 Sec. 3875.052. APPOINTMENT OF VOTING DIRECTORS. The mayor
12 and members of the governing body of the city shall appoint voting
13 directors from persons recommended by the board. A person is
14 appointed if a majority of the members of the governing body,
15 including the mayor, of the city vote to appoint that person.

16 Sec. 3875.053. INITIAL VOTING DIRECTORS. (a) The mayor and
17 members of the governing body of the city shall appoint initial
18 voting directors by position. A person is appointed if a majority
19 of the members of the governing body, including the mayor, of the
20 city vote to appoint that person.

21 (b) Of the initial directors, the terms of directors
22 appointed for positions 1 through 3 expire June 1, 2015, and the
23 terms of directors appointed for positions 4 and 5 expire June 1,
24 2017.

25 (c) Section 3875.052 does not apply to the appointment of
26 directors under this section.

27 Sec. 3875.054. NONVOTING DIRECTORS. The board may appoint

1 nonvoting directors to serve at the pleasure of the voting
2 directors.

3 Sec. 3875.055. QUORUM. For purposes of determining the
4 requirements for a quorum of the board, the following are not
5 counted:

6 (1) a board position vacant for any reason, including
7 death, resignation, or disqualification;

8 (2) a director who is abstaining from participation in
9 a vote because of a conflict of interest; or

10 (3) a nonvoting director.

11 Sec. 3875.056. COMPENSATION. A director is entitled to
12 receive fees of office and reimbursement for actual expenses as
13 provided by Section 49.060, Water Code. Sections 375.069 and
14 375.070, Local Government Code, do not apply to the board.

15 [Sections 3875.057-3875.100 reserved for expansion]

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 3875.101. GENERAL POWERS AND DUTIES. The district has
18 the powers and duties necessary to accomplish the purposes for
19 which the district is created.

20 Sec. 3875.102. IMPROVEMENT PROJECTS AND SERVICES. The
21 district may provide, design, construct, acquire, improve,
22 relocate, operate, maintain, or finance an improvement project or
23 service using any money available to the district, or contract with
24 a governmental or private entity to provide, design, construct,
25 acquire, improve, relocate, operate, maintain, or finance an
26 improvement project or service authorized under this chapter or
27 Chapter 375, Local Government Code.

1 Sec. 3875.103. DEVELOPMENT CORPORATION POWERS. The
2 district, using money available to the district, may exercise the
3 powers given to a development corporation under Chapter 505, Local
4 Government Code, including the power to own, operate, acquire,
5 construct, lease, improve, or maintain a project under that
6 chapter.

7 Sec. 3875.104. NONPROFIT CORPORATION. (a) The board by
8 resolution may authorize the creation of a nonprofit corporation to
9 assist and act for the district in implementing a project or
10 providing a service authorized by this chapter.

11 (b) The nonprofit corporation:

12 (1) has each power of and is considered to be a local
13 government corporation created under Subchapter D, Chapter 431,
14 Transportation Code; and

15 (2) may implement any project and provide any service
16 authorized by this chapter.

17 (c) The board shall appoint the board of directors of the
18 nonprofit corporation. The board of directors of the nonprofit
19 corporation shall serve in the same manner as the board of directors
20 of a local government corporation created under Subchapter D,
21 Chapter 431, Transportation Code, except that a board member is not
22 required to reside in the district.

23 Sec. 3875.105. AGREEMENTS; GRANTS. (a) As provided by
24 Chapter 375, Local Government Code, the district may make an
25 agreement with or accept a gift, grant, or loan from any person.

26 (b) The implementation of a project is a governmental
27 function or service for the purposes of Chapter 791, Government

1 Code.

2 Sec. 3875.106. LAW ENFORCEMENT SERVICES. To protect the
3 public interest, the district may contract with a qualified party,
4 including the county or the city, to provide law enforcement
5 services in the district for a fee.

6 Sec. 3875.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
7 district may join and pay dues to a charitable or nonprofit
8 organization that performs a service or provides an activity
9 consistent with the furtherance of a district purpose.

10 Sec. 3875.108. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
11 district may engage in activities that accomplish the economic
12 development purposes of the district.

13 (b) The district may establish and provide for the
14 administration of one or more programs to promote state or local
15 economic development and to stimulate business and commercial
16 activity in the district, including programs to:

17 (1) make loans and grants of public money; and

18 (2) provide district personnel and services.

19 (c) The district may create economic development programs
20 and exercise the economic development powers provided to
21 municipalities by:

22 (1) Chapter 380, Local Government Code; and

23 (2) Subchapter A, Chapter 1509, Government Code.

24 Sec. 3875.109. PARKING FACILITIES. (a) The district may
25 acquire, lease as lessor or lessee, construct, develop, own,
26 operate, and maintain parking facilities or a system of parking
27 facilities, including lots, garages, parking terminals, or other

1 structures or accommodations for parking motor vehicles off the
2 streets and related appurtenances.

3 (b) The district's parking facilities serve the public
4 purposes of the district and are owned, used, and held for a public
5 purpose even if leased or operated by a private entity for a term of
6 years.

7 (c) The district's parking facilities are parts of and
8 necessary components of a street and are considered to be a street
9 or road improvement. The development and operation of the
10 district's parking facilities may be considered an economic
11 development program.

12 Sec. 3875.110. ANNEXATION OF LAND. The district may annex
13 land as provided by Subchapter J, Chapter 49, Water Code.

14 Sec. 3875.111. NO EMINENT DOMAIN. The district may not
15 exercise the power of eminent domain.

16 [Sections 3875.112-3875.150 reserved for expansion]

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

18 Sec. 3875.151. TAX AND ASSESSMENT ABATEMENTS. The district
19 may designate reinvestment zones and may grant abatements of
20 district taxes or assessments on property within such zones.

21 Sec. 3875.152. DISBURSEMENTS AND TRANSFERS OF MONEY. The
22 board by resolution shall establish the number of directors'
23 signatures and the procedure required for a disbursement or
24 transfer of district money.

25 Sec. 3875.153. MONEY USED FOR IMPROVEMENTS OR SERVICES. The
26 district may acquire, construct, finance, operate, or maintain any
27 improvement or service authorized under this chapter or Chapter

1 375, Local Government Code, using any money available to the
2 district.

3 Sec. 3875.154. PETITION REQUIRED FOR FINANCING SERVICES AND
4 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
5 service or improvement project with assessments under this chapter
6 unless a written petition requesting that service or improvement
7 has been filed with the board.

8 (b) A petition filed under Subsection (a) must be signed by
9 the owners of a majority of the assessed value of real property in
10 the district subject to assessment according to the most recent
11 certified tax appraisal roll for the county.

12 Sec. 3875.155. ASSESSMENTS; LIENS FOR ASSESSMENTS.

13 (a) The board by resolution may impose and collect an assessment
14 for any purpose authorized by this chapter in all or any part of the
15 district.

16 (b) An assessment, a reassessment, or an assessment
17 resulting from an addition to or correction of the assessment roll
18 by the district, penalties and interest on an assessment or
19 reassessment, an expense of collection, and reasonable attorney's
20 fees incurred by the district:

21 (1) are a first and prior lien against the property
22 assessed;

23 (2) are superior to any other lien or claim other than
24 a lien or claim for county, school district, or municipal ad valorem
25 taxes; and

26 (3) are the personal liability of and a charge against
27 the owners of the property even if the owners are not named in the

1 assessment proceedings.

2 (c) The lien is effective from the date of the board's
3 resolution imposing the assessment until the date the assessment is
4 paid. The board may enforce the lien in the same manner that the
5 board may enforce an ad valorem tax lien against real property.

6 (d) The board may make a correction to or deletion from the
7 assessment roll that does not increase the amount of assessment of
8 any parcel of land without providing notice and holding a hearing in
9 the manner required for additional assessments.

10 Sec. 3875.156. RESIDENTIAL PROPERTY NOT EXEMPT. Section
11 375.161, Local Government Code, does not apply to a tax authorized
12 or approved by the voters of the district or a required payment of a
13 service provided by the district, including water and sewer
14 services.

15 Sec. 3875.157. EXEMPTIONS. Organizations exempt from
16 federal income tax under Section 501(c)(3), Internal Revenue Code
17 of 1986, are not exempt from the payment of assessments, and Section
18 375.162, Local Government Code, does not apply to such
19 organizations.

20 [Sections 3875.158-3875.200 reserved for expansion]

21 SUBCHAPTER E. TAXES AND BONDS

22 Sec. 3875.201. ELECTIONS REGARDING TAXES AND BONDS.

23 (a) The district may issue, without an election, bonds, notes, and
24 other obligations secured by:

25 (1) revenue other than ad valorem taxes; or

26 (2) contract payments described by Section 3875.203.

27 (b) The district must hold an election in the manner

1 provided by Subchapter L, Chapter 375, Local Government Code, to
2 obtain voter approval before the district may impose an ad valorem
3 tax or issue bonds payable from ad valorem taxes.

4 (c) Section 375.243, Local Government Code, does not apply
5 to the district.

6 (d) All or any part of any facilities or improvements that
7 may be acquired by the district by the issuance of its bonds may be
8 submitted as a single proposition or as several propositions to be
9 voted on at the election.

10 Sec. 3875.202. OPERATION AND MAINTENANCE TAX. (a) If
11 authorized by a majority of the district voters voting at an
12 election held in accordance with Section 3875.201, the district may
13 impose an operation and maintenance tax on taxable property in the
14 district in accordance with Section 49.107, Water Code, for any
15 district purpose, including to:

- 16 (1) maintain and operate the district;
- 17 (2) construct or acquire improvements; or
- 18 (3) provide a service.

19 (b) The board shall determine the tax rate. The rate may not
20 exceed the rate approved at the election.

21 Sec. 3875.203. CONTRACT TAXES. (a) In accordance with
22 Section 49.108, Water Code, the district may impose a tax other than
23 an operation and maintenance tax and use the revenue derived from
24 the tax to make payments under a contract after the provisions of
25 the contract have been approved by a majority of the district voters
26 voting at an election held for that purpose.

27 (b) A contract approved by the district voters may contain a

1 provision stating that the contract may be modified or amended by
2 the board without further voter approval.

3 Sec. 3875.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
4 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
5 as determined by the board. Section 375.205, Local Government
6 Code, does not apply to a loan, line of credit, or other borrowing
7 from a bank or financial institution secured by revenue other than
8 ad valorem taxes.

9 (b) The district may issue bonds, notes, or other
10 obligations payable wholly or partly from ad valorem taxes,
11 assessments, impact fees, revenue, contract payments, grants, or
12 other district money, or any combination of those sources of money,
13 to pay for any authorized district purpose.

14 Sec. 3875.205. TAXES FOR BONDS. At the time the district
15 issues bonds payable wholly or partly from ad valorem taxes, the
16 board shall provide for the annual imposition of a continuing
17 direct annual ad valorem tax, without limit as to rate or amount,
18 for each year that all or part of the bonds are outstanding as
19 required and in the manner provided by Sections 54.601 and 54.602,
20 Water Code.

21 Sec. 3875.206. CITY NOT REQUIRED TO PAY DISTRICT
22 OBLIGATIONS. Except as provided by Section 375.263, Local
23 Government Code, the city is not required to pay a bond, note, or
24 other obligation of the district.

25 SECTION 2. The Mesquite Medical Center Management District
26 initially includes all territory contained in the following area:

27 BEING a tract of land situated in the Daniel Tanner Survey,

1 Abstract No. 1426, in the City of Mesquite, Dallas County, Texas,
2 and being part of that called 85.204 acre tract of land described in
3 deed to The City of Mesquite, Texas, as recorded in Volume 95191,
4 Page 00916 of the Deed Records of Dallas County, Texas
5 (D.R.D.C.T.), and being more particularly described as follows:

6 COMMENCING at a 1/2-inch found iron rod for the west corner of
7 Lot 1, Block 1 of Peachtree/Gross Addition, and addition to the City
8 of Mesquite, Texas, as recorded in Volume 99074, Page 00009,
9 D.R.D.C.T., said point being on the easterly right-of-way line of
10 Peachtree Road (a 100 foot wide public right-of-way) as described
11 in deed recorded in Volume 71054, Page 0405, D.R.D.C.T., said point
12 also being the most westerly north corner of that tract of land
13 described in deed to Golden Shamrock Realty, Inc., as recorded in
14 Volume 2001007, Page 02031, D.R.D.C.T.;

15 THENCE South 46 degrees 16 minutes 40 seconds West, along the
16 common westerly line of said Golden Shamrock Realty tract and said
17 easterly right-of-way line of Peachtree Road, a distance of 120.96
18 feet to a 1/2-inch set iron rod with yellow plastic cap stamped
19 "HALFF ASSOC INC." (hereinafter referred to as "with cap") for the
20 POINT OF BEGINNING;

21 THENCE South 43 degrees 43 minutes 20 seconds East, departing
22 said common line along the southeasterly line of said Golden
23 Shamrock Realty tract, a distance of 269.56 feet (deed 270.00 feet)
24 to a 5/8-inch found iron rod for corner;

25 THENCE South 21 degrees 45 minutes 55 seconds East,
26 continuing along said southeasterly line, a distance of 650.20 feet
27 (deed 650.00 feet) to a 1/2-inch set iron rod with cap for the

1 southwest corner of said Golden Shamrock Realty tract;

2 THENCE North 77 degrees 14 minutes 05 seconds East, along the
3 southerly line of said Golden Shamrock Realty tract, a distance of
4 312.75 feet (deed 313.33 feet) to a 1/2-inch set iron rod with cap
5 for the southeast corner of said Golden Shamrock Realty tract, said
6 point being on the common westerly right-of-way line of Interstate
7 Highway 635 (L.B.J. Freeway, a variable width public right-of-way)
8 and the easterly line of said City of Mesquite tract;

9 THENCE South 15 degrees 17 minutes 27 seconds East, along
10 said common line, a distance of 503.14 feet to a point for corner,
11 from which point a found aluminum TXDOT monument bears North 65
12 degrees 26 minutes 11 seconds East a distance of 0.68 feet;

13 THENCE South 09 degrees 56 minutes 00 seconds East,
14 continuing along said common line, a distance of 250.56 feet to a
15 point for corner, from which point a found aluminum TXDOT monument
16 bears North 63 degrees 51 minutes 49 seconds East a distance of 0.74
17 feet;

18 THENCE South 02 degrees 28 minutes 33 seconds East,
19 continuing along said common line, a distance of 800.01 feet to a
20 1/2-inch set iron rod with cap for corner;

21 THENCE South 06 degrees 24 minutes 28 seconds East,
22 continuing along said common line, a distance of 311.76 feet to a
23 1/2-inch found iron rod with cap stamped "BRITTAIN AND CRAWFORD"
24 for the northeast corner of Lots 2 and 3, Block 1, Peachtree Center,
25 an addition to the City of Mesquite as recorded in Volume 2003092,
26 Page 00027, D.R.D.C.T.;

27 THENCE departing said common line and along the northerly

1 line of said Peachtree Center addition, the following courses and
2 distances:

3 North 70 degrees 39 minutes 48 seconds West a distance
4 of 578.50 feet to a found 2-inch diameter disk stamped "MLA
5 RPLS #4873" for corner;

6 North 19 degrees 20 minutes 12 seconds East a distance
7 of 60.00 feet to a 1/2-inch found iron rod with cap stamped
8 "BRITAIN AND CRAWFORD" for corner;

9 North 70 degrees 39 minutes 48 seconds West a distance
10 of 70.00 feet to a 1/2-inch found iron rod with cap stamped
11 "BRITAIN AND CRAWFORD" for corner;

12 South 80 degrees 33 minutes 59 seconds West a distance
13 of 124.66 feet to a found 2-inch diameter disk stamped "MLA
14 RPLS #4873" for corner;

15 North 05 degrees 37 minutes 15 seconds East a distance
16 of 103.27 feet to a point for corner from which a found 2-inch
17 diameter disk stamped "MLA RPLS #4873" bears North 21 degrees
18 18 minutes 56 seconds East a distance of 0.26 feet;

19 North 84 degrees 22 minutes 45 seconds West a distance
20 of 150.41 feet to a found 2-inch diameter disk stamped "MLA
21 RPLS #4873" for the point of curvature of a tangent circular
22 curve to the left having a radius of 535.10 feet whose chord
23 bears South 82 degrees 19 minutes 40 seconds West a distance
24 of 246.07 feet;

25 Westerly, along said circular curve to the left,
26 through a central angle of 26 degrees 35 minutes 10 seconds,
27 an arc distance of 248.29 feet to a found 2-inch diameter disk

1 stamped "MLA RPLS #4873" for the point of tangency;

2 South 69 degrees 02 minutes 05 seconds West a distance
3 of 15.00 feet to a found 2-inch diameter disk stamped "MLA
4 RPLS #4873" for corner,

5 North 65 degrees 11 minutes 14 seconds West a distance
6 of 45.81 feet to a 1/2-inch set iron rod with cap for the most
7 westerly northwest corner of said Peachtree Center addition,
8 said point also being in the common westerly line of said City
9 of Mesquite tract and the aforementioned easterly
10 right-of-way line of Peachtree Road, said point being on a
11 circular curve to the left having a radius of 759.73 feet
12 whose chord bears North 31 degrees 03 minutes 06 seconds West
13 a distance of 136.50 feet, said curve being non-tangent to
14 the last described course;

15 THENCE Northwesterly, departing said northerly line of said
16 Peachtree Center addition, along said common line between said City
17 of Mesquite tract and said Peachtree Road and along said circular
18 curve, through a central angle of 10 degrees 18 minutes 29 seconds,
19 an arc distance of 136.68 feet to a 1/2-inch set iron rod with cap
20 for the point of tangency;

21 THENCE North 36 degrees 12 minutes 20 seconds West, along
22 said common line, a distance of 248.77 feet to a 1/2-inch set iron
23 rod with cap for the point of curvature of a tangent circular curve
24 to the right having a radius of 1,269.75 feet whose chord bears
25 North 05 degrees 02 minutes 10 seconds East a distance of 1,674.13
26 feet;

27 THENCE Northerly, continuing along said common line and along

1 said circular curve, through a central angle of 82 degrees 29
2 minutes 00 seconds, an arc distance of 1,827.94 feet to a 1/2-inch
3 set iron rod with cap for the point of tangency;

4 THENCE North 46 degrees 16 minutes 40 seconds East,
5 continuing along said common line, a distance of 341.44 feet to the
6 POINT OF BEGINNING AND CONTAINING 2,626,887 square feet or 60.31
7 acres of land, more or less.

8 SECTION 3. (a) The legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor,
20 lieutenant governor, and speaker of the house of representatives
21 within the required time.

22 (d) The general law relating to consent by political
23 subdivisions to the creation of districts with conservation,
24 reclamation, and road powers and the inclusion of land in those
25 districts has been complied with.

26 (e) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act have been
2 fulfilled and accomplished.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2013.